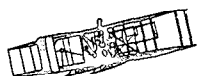


TTAB



FISH & NEAVE



03-19-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #11

Herbert F. Schwartz
Eric C. Woglom
John E. Nathan
Robert C. Morgan*
Kenneth B. Herman
Robert R. Jackson
Jesse J. Jenner
W. Edward Bailey
Patricia A. Martone
Roderick R. McKelvie***
James F. Haley, Jr.
Richard M. Barnes
Laurence S. Rogers

Vincent N. Palladino
Robert J. Goldman*
Thomas L. Secrest
Daniel M. Gantt
Norman H. Beamer*
Kevin J. Culligan
Glenn A. Ousterhout
Susan Progoff
Margaret A. Pierri
Douglas J. Gilbert
Denise L. Loring
Jeffrey H. Ingberman
Mark H. Bloomberg

Jane A. Massaro
Duane-David Hough
Mark D. Rowland*
Edward J. DeFranco*
Eric R. Hubbard
Kelsey I. Nix
William J. McCabe
Marta E. Gross
John M. Hintz
Richard A. Inz
Frances M. Lynch
Christopher J. Harnett
A. Joy Arnold

Steven Cherry
Joseph M. Guiliano
Jeanne C. Curtis
Gerald J. Flattmann, Jr.
Kevin P.B. Johnson*
Terrence J. P. Kearney*
Robert W. Morris
Avinash S. Lele*
Jane T. Gunnison
Richard L. Rainey****
James E. Hopenfeld**
Pablo D. Hendler
Brian C. Cannon**

Of Counsel

Albert E. Fey
Kenneth A. Genoni
Gene W. Lee

Senior Attorneys

A. Peter Adler
Thomas J. Vetter
Charles Quinn
Lisa E. Cristaf
Gabrielle E. Higgins*

Frederick P. Fish 1855-1930
Charles Neave 1867-1937

* California and New York Bars ** California Bar Only *** Delaware Bar Only **** DC Bar Only

MARTIN A. LEROY

DIRECT DIAL 212.596.9127

DIRECT FAX 646.728.2618

E-MAIL MLEROY@FISHNEAVE.COM

March 18, 2003

TRADEMARK TRIAL AND
APPEAL BOARD
04 MAR 28 AM 9:30

VIA FACSIMILE (CONF. BY FEDEX)

Albert Zervas, Esq.
Trademark Trial and Appeal Board
South Tower Building
2900 Crystal Drive
Arlington, VA 22202

Re: *Galleon S.A., Bacardi-Martini U.S.A., Inc. and
Bacardi & Company Limited v. Havana Club Holding, S.A. and
Empresa Cubana Exportador De Alimentos y Productos Varios, S.A.*
Trademark Trial and Appeal Board Cancellation No, 24, 108

Dear Mr. Zervas:

Pursuant to the Board's February 12, 2003 Order, we enclose a copy of OFAC's decision which Fish & Neave received today. Having just received the requested OFAC license, we welcome any discussion you may wish to have pertaining to an appropriate extension of time.

2

FISH & NEAVE

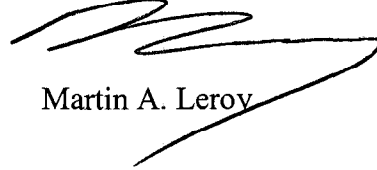
Albert Zervas, Esq.

March 18, 2003

Page 2

In addition, pursuant to the Board's January 21, 2003 Order, Cubaexport requests that all notices and orders in this proceeding directed to Cubaexport be provided to Fish & Neave rather than Michael Krinsky. We have enclosed an Appointment of Domestic Representative form executed by Cubaexport.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin A. Leroy". The signature is stylized with a large, sweeping "M" and a long, horizontal stroke extending to the right.

Martin A. Leroy

MAL:afg
Enclosures

cc: William Golden, Esq. (w/enclosures)
Charles Sims, Esq. (w/enclosures)
Michael Krinsky, Esq. (w/enclosures)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the LETTER
ADDRESSED TO ALBERT ZERVAS, ESQ. was served by Facsimile and Federal
Express at the following addresses:

Albert Zervas, Esq.
Trademark Trial and Appeal Board
South Tower Building
2900 Crystal Drive
Arlington, VA 22202
Facsimile No.: 703.308.9333

William Golden, Jr. Esq.
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178
Facsimile No.: 212.808.7897

Michael Krinsky, Esq.
Rabinowitz, Boudin, Standard,
Krinsky & Lieberman, P.C.
740 Broadway – Fifth Floor
New York, NY 10003
Facsimile No.: 212.674.4614

Charles Sims, Esq.
Proskauer, Rose LLP
1585 Broadway
New York, NY 10036
Facsimile No.: 212.969.2900

Dated: March 18, 2003

By: Andrea F. Gatti
Andrea F. Gatti



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Cuban Assets Control Regulations

License No. CU-71416

LICENSE

(Granted under the authority of 50 U.S.C. App. 5(b), 22 U.S.C. 2370(a), 22 U.S.C. 6001 et seq., Proclamation 3447, and 31 CFR Parts 501 and 515)

To: Fish & Neave (the "Licensee")
1251 Avenue of the Americas
New York, New York 10020
Attn: Herbert F. Schwartz

1. Pursuant to your letter dated January 29, 2003, the following is hereby licensed:

*****SEE REVERSE*****

2. This license is granted upon the statements and representations made in your application, or otherwise filed with or made to the Treasury Department as a supplement to your application, and is subject to the conditions, among others, that you comply in all respects with all regulations, rulings, orders and instructions issued by the Secretary of the Treasury under the authority of Section 620(a), Public Law 87-195, or under the authority of section 5(b) of the Act of October 6, 1917, as amended, and the terms of this license.

3. The licensee shall furnish and make available for inspection any relevant information, records or reports requested by the Secretary of the Treasury or any duly authorized officer or agency of the Secretary.

4. This license is not transferable, is subject to the provisions of Title 31, Parts 501 and 515 of the Code of Federal Regulations, and any regulations and rulings issued pursuant thereto and may be revoked or modified at any time at the discretion of the Secretary of the Treasury acting directly or through the agency through which the license was issued, or any other agency designated by the Secretary of the Treasury. If this license was issued as a result of willful misrepresentation on the part of the applicant or his duly authorized agent, it may, in the discretion of the Secretary of the Treasury, be declared void from the date of its issuance, or from any other date.

5. This license does not excuse compliance with any law or regulation administered by the Office of Foreign Assets Control or another agency (including reporting requirements) applicable to the transactions(s) herein licensed, nor does it release Licensee(s) or third parties from civil or criminal liability for violation of any law or regulation.

Issued by direction and on behalf of the Secretary of the Treasury:

OFFICE OF FOREIGN ASSETS CONTROL

By

acting for R. Richard Newcomb, Director

[Attention is directed to 19 U.S.C. 1592 and 1595a, 18 U.S.C. 545, 18 U.S.C. 1001, 50 U.S.C. App. 16, and 31 CFR 515.701 et seq. for provisions relating to penalties.]

License No. CU-71416
Licensee: Fish & Neave

Page 2 of 2

SECTION 1 - AUTHORIZATIONS: All transactions are authorized to enable Fish & Neave (the "Licensee"), in connection with all matters related to Galleon S.A. v. Havana Club Holding, S.A., Trademark Trial and Appeal Board Cancellation No. 24,108, to provide legal services to, receive payment for such services from and to receive reimbursement for expenses related to such services from Empresa Cubana Exportadora De Alimentos y Productos Varios ("Cubaexport"), a Cuban national.

Authority: 31 CFR 515.801.

SECTION 2 - CONDITIONS: (a) It is a condition of this License that Licensee shall keep a full and accurate record of each transaction undertaken pursuant to this License, and that each such record shall be available for examination for at least five years after the date of such transaction.

SECTION 3 - REPORTING REQUIREMENT: Pursuant to 31 CFR 501.605 Licensee is directed to provide all required reports, notices, copies and facsimiles.

SECTION 4 - WARNINGS: (a) Except as explicitly authorized in Section 1 above, nothing in this license authorizes persons subject to the jurisdiction of the United States to engage in any transaction or activity prohibited by the Regulations.

SECTION 5 - WARNINGS: (b) Nothing in this License authorizes any debit or credit from any blocked account.

SECTION 6 -PRECEDENCE: This License is issued on a nonprecedential basis.



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Cuban Assets Control Regulations

License No. CU-71417

LICENSE

(Granted under the authority of 50 U.S.C. App. 5(b), 22 U.S.C. 2370(a), 22 U.S.C. 6001 et seq., Executive Order 9193, Proclamation 3447, and 31 CFR Parts 501 and 515)

To: Fish & Neave (the "Licensee")
1251 Avenue of the Americas
New York, New York 10020
Attn: Herbert F. Schwartz

1. Pursuant to your application materials dated January 29, 2003 the following is hereby licensed:

*****SEE REVERSE*****

2. This license is granted upon the statements and representations made in your application, or otherwise filed with or made to the Treasury Department as a supplement to your application, and is subject to the conditions, among others, that you comply in all respects with all regulations, rulings, orders and instructions issued by the Secretary of the Treasury under the authority of Section 620(a), Public Law 87-195, or under the authority of section 5(b) of the Act of October 6, 1917, as amended, and the terms of this license.

3. The licensee shall furnish and make available for inspection any relevant information, records or reports requested by the Secretary of the Treasury or any duly authorized officer or agency of the Secretary.

4. This license expires on March 1, 2004, and is not transferable, is subject to the provisions of Title 31, Parts 501 and 515 of the Code of Federal Regulations, and any regulations and rulings issued pursuant thereto and may be revoked or modified at any time at the discretion of the Secretary of the Treasury acting directly or through the agency through which the license was issued, or any other agency designated by the Secretary of the Treasury. If this license was issued as a result of willful misrepresentation on the part of the applicant or his duly authorized agent, it may, in the discretion of the Secretary of the Treasury, be declared void from the date of its issuance, or from any other date.

5. This license does not excuse compliance with any law or regulation administered by the Office of Foreign Assets Control or another agency (including reporting requirements) applicable to the transactions(s) herein licensed, nor does it release Licensee(s) or third parties from civil or criminal liability for violation of any law or regulation.

Issued by direction and on behalf of the Secretary of the Treasury:

OFFICE OF FOREIGN ASSETS CONTROL

By David W. Mills 3/6/03
David W. Mills, Chief of Licensing

[Attention is directed to 19 U.S.C. 1592 and 1595a, 18 U.S.C. 545, 18 U.S.C. 1001, 50 U.S.C. App. 16, and 31 CFR 515.701 et seq. for provisions relating to penalties.]

License No. CU-71417
Licensee: Fish & Neave

Page 2 of 2

SECTION 1 - AUTHORIZATION: (a) This license authorizes attorneys and others acting under their supervision and control under the auspices of Fish & Neave (the "Licensees") to engage in travel-related transactions in Cuba as set forth in 31 CFR 515.560(c) and such additional transactions as are directly incident to performing professional research and participating in professional meetings with Empresa Cubana Exportadora De Alimentos y Productos Varios ("Cubaexport") in connection with all matters related to Galleon S.A. v. Havana Club Holding, S.A., Trademark Trial and Appeal Board Cancellation No. 24,108.

(b) This license authorizes multiple trips during the validity period of the license.

Authority: 31 CFR 515.560(c) and 515.564(b).

SECTION 2 - CONDITION: (a) It is a condition of this license that the Licensees shall adhere to a full-time schedule of professional research and professional meeting activities consistent with 31 CFR 515.564(b).

(b) It is a condition of this License that Licensee shall keep a full and accurate record of each transaction undertaken pursuant to this License, and that each such record shall be available for examination for at least five years after the date of such transaction.

SECTION 3 - WARNING: (a) This license does not authorize travel-related transactions related to commercial or touristic activities that are inconsistent with a full-time agenda of professional research and professional meeting activities.

(b) This license does not authorize the Licensee to provide the travel services described in 31 CFR 515.572(a)(1) to other organizations. Specific travel service provider authorization is required for this purpose based on an application that must be filed and processed through OFAC's Miami office.

SECTION 4 - INFORMATION: The Department of State publishes consular information sheets (and, when necessary, travel warnings) on every country and territory in the world, including Cuba, which are available on the Internet at <http://travel.state.gov>, or through the State Department's fax-on-demand service at (202) 647-3000. An abridged version of consular information sheets can be heard by calling (202) 647-5225.

SECTION 5 - PRECEDENCE: This license is issued on a non-precedential basis.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant : Empresa Cubana Exportadora de
Alimentos y Productos Varios

Mark : HAVANA CLUB

Registration No. : 1,031,651

Issued : January 27, 1976

International Class : 033

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Registrant hereby appoints Herbert F. Schwartz,
Vincent N. Palladino, Susan Progoff, Martin A. Leroy,
members of the bar of the State of New York, at Fish &
Neave, 1251 Avenue of the Americas, New York, New York
10020 (Telephone (212) 596-9000), as registrant's
representatives upon whom notices or process in proceedings
affecting the mark may be served.

Empresa Cubana Exportadora de
Alimentos y Productos Varios

Dated: 11 th, february 2003

By: 

Name: ISABEL O'REILLY CANAS

Title: VICE PRESIDENT

